

Notice of Allowability

Application No.

09/737,965

Examiner

Kelly L. Jerabek

Applicant(s)

SEEGER ET AL

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 5/25/2005.
2. ☒ The allowed claim(s) is/are 3-7,10-11 (Renumbered 1-2 respectively), 16-22 (Renumbered 10-16 respectively), 23-24 (Renumbered 8-9 respectively) and 25-28 (Renumbered 17-20 respectively).
3. ☒ The drawings filed on 02 November 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>5/25/2005</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

Claims 3-7, 10-11 and 16-28 allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fail to anticipate or render obvious the following technical features as recited in the highlighted claims:

Referring to claims 10, 16, and 25 the prior art fails to teach or suggest "An apparatus for capturing an image, comprising: an image capture device for capturing plural image segments of an object scene at different focus distances and zoom settings; the image capture device having: a variable focus mechanism for varying the focus distance for the image capture device, a variable zoom mechanism for varying the zoom setting for the image capture device, and a controller operative to control the variable focus mechanism and the variable zoom mechanism to vary the focus setting and the zoom setting in combination; a perspective corrective device...; and an image compositor...; wherein the image capture device is positioned at an oblique angle to the object scene when capturing the plural image segments; and wherein the image capture device compensates for the perspective distortion by increasing, at a level that varies

Art Unit: 2612

depending on the oblique angle to the object scene, the zoom setting as the focus distance is increased".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Okisu et al (US 6,535,250) discloses an image pickup apparatus. The information regarding oblique photography correction is relevant material.

Kingetsu et al. (US 6,181,379) discloses an image-sensing device with different image sensing characteristics for documents and scenery. The information regarding scanning a document is relevant material.

Matsuda et al. (US 5,834,762) discloses an image reading apparatus and method. The information regarding scanning a document is relevant material.

Dance et al. (US 6,463,220) discloses a method and apparatus for indicating a field of view for a document camera. The information regarding scanning a document is relevant material.

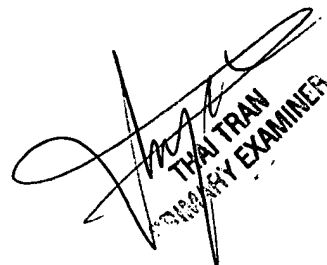
Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached at **(571) 272-⁷³⁸²7564**. The fax phone number for submitting all Official communications is **(571) 273-8300**. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ


THAI TRAN
PRIMARY EXAMINER